

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION**

JUDICIAL WATCH, INC.,

Plaintiff,

v.

NORTH CAROLINA; THE NORTH CAROLINA STATE BOARD OF ELECTIONS; KAREN BRINSON BELL, in her capacity as the Executive Director of the North Carolina State Board of Elections; THE MECKLENBURG COUNTY BOARD OF ELECTIONS; MICHAEL G. DICKERSON, in his official capacity as the Director of Elections for Mecklenburg County; CAROL HILL WILLIAMS, in her capacity as the Chair of the Mecklenburg County Board of Elections; THE GUILFORD COUNTY BOARD OF ELECTIONS; CHARLIE COLLICUTT, in his official capacity as Director of Elections for Guilford County; and HORACE KIMEL, JR., in his capacity as Chair of the Guilford County Board of Elections,

Defendants, and

THE LEAGUE OF WOMEN VOTERS OF NORTH CAROLINA AND THE NORTH CAROLINA A. PHILIP RANDOLPH INSTITUTE,

Proposed Defendant-Intervenors.

Civil Action No. 3:20-cv-211

THE LEAGUE OF WOMEN VOTERS OF NORTH CAROLINA AND THE NORTH CAROLINA A. PHILIP RANDOLPH'S MOTION TO INTERVENE AS DEFENDANTS

Pursuant to Federal Rule of Civil Procedure 24, the League of Women Voters of North Carolina and the North Carolina A. Philip Randolph Institute ("Defendant-Intervenors")

respectfully submit this motion, by and through undersigned counsel, to intervene as Defendants in the above-captioned case as of right or, in the alternative, with the Court's permission.

As set forth in the accompanying memorandum in support of the motion to intervene, Defendant-Intervenors oppose any requested court-ordered purging of voting rolls in North Carolina, including Guilford County and Mecklenburg County, and will seek a judgment on the pleadings in favor of Defendants on Count I of the Complaint. As required by Federal Rule of Civil Procedure 24(c), a proposed Answer setting forth this defense is attached hereto as Exhibit 1. No such court-ordered "list maintenance" is appropriate under—much less required by—the National Voter Registration Act of 1993 ("NVRA"), a federal statute designed to make it *easier* for citizens to become and remain registered to vote.

Proposed Defendant-Intervenors conferred with counsel for Plaintiff and Defendants on April 20 and 21, 2020. Plaintiff does not consent to the motion to intervene. Defendants Mecklenburg County Board of Elections, Michael G. Dickerson, and Carol Hill Williams consent to the motion to intervene. Defendants Guilford County Board of Elections, Charlie Collicutt, and Horace Kimel, Jr. do not object to the motion to intervene. Proposed Defendant-Intervenors consulted with counsel for the State Defendants, but counsel for the State Defendants was not able to ascertain their clients' position before filing. Counsel for State Defendants indicated an intention to file a statement of position shortly.

(remainder of page intentionally left blank)

Dated: April 21, 2020.

Respectfully submitted,

/s/ Allison Riggs

Chiraag Bains*
Dēmos
740 6th Street NW, 2nd Floor
Washington, DC 20001
(202) 864-2746
cbains@demos.org

Stuart Naifeh*
Emerson Gordon-Marvin*
Dēmos
80 Broad St, 4th Floor
New York, NY 10004
(212) 485-6055
snaifeh@demos.org
egordonmarvin@demos.org

Allison J. Riggs (State Bar #40028)
Jeffrey Loperfido (State Bar #52939)
Hilary Harris Klein (State Bar #53711)
Southern Coalition for Social Justice
1415 West Highway 54, Suite 101
Durham, NC 27707
Telephone: 919-323-3380
Facsimile: 919-323-3942
Email: Allison@southerncoalition.org
jeff@southerncoalition.org
hilaryhklein@southerncoalition.org

**Pro hac vice application forthcoming*

CERTIFICATE OF SERVICE

I certify that on the 21st day of April, 2020 the foregoing THE LEAGUE OF WOMEN VOTERS OF NORTH CAROLINA AND THE NORTH CAROLINA A. PHILIP RANDOLPH INSTITUTE'S MOTION TO INTERVENE AS DEFENDANTS AS TO COUNT I and accompanying exhibits was filed via the Court's CM/ECF filing system, which will send a notification of filing to all counsels of record as indicated in the attached Service List. Counsel for Defendants Mecklenburg County Board of Elections, Michael G. Dickerson, and Carol Hill Williams has agreed to accept service by electronic mail on behalf of these defendants for this motion, and was served with the aforementioned documents via electronic mail as indicated in the attached Service List. Plaintiff's Counsel H. Christopher Coates has agreed to accept service by electronic mail and was served with the aforementioned documents via electronic mail as indicated in the attached Service List.

/s/ Allison J. Riggs
Allison J. Riggs

SERVICE LIST

Eric W. Lee
Judicial Watch, Inc.
425 Third Street, SW, Suite 800
Washington, DC 20024
202-646-0008
Email: elee@judicialwatch.org
Attorney for Plaintiff
Served by CM/ECF Notification

Robert D. Popper
Judicial Watch, Inc.
425 Third Street, SW, Suite 800
Washington, DC 20817
202-646-5173
Fax: 202-646-5199
Email: rpopper@judicialwatch.org
Attorney for Plaintiff
Served by CM/ECF Notification

T. Russell Nobile
Judicial Watch Inc.
P.O. Box 6592
Gulfport, MS 39506
228-223-7820
Email: Rnobile@judicialwatch.org
Attorney for Plaintiff
Served by CM/ECF Notification

John Mark Payne
Guilford County Attorney's Office
301 West Market Street
PO Box 3427
Greensboro, NC 27402
(336) 641-3686
Fax: (336) 641-3642
Email: mpayne@guilfordcountync.gov
Attorney for Defendants Guilford County Board of Elections, Charlie Collicutt, and Horace Kimel, Jr.
Served by CM/ECF Notification

H. Christopher Coates
934 Compass Point
Charleston, SC 29412
843-609-7080
Attorney for Plaintiff
Served by electronic mail to currieocoates@gmail.com with consent of counsel

Mark A. Jones
Bell, Davis & Pitt P.A.
100 North Cherry St., Ste 600
Winston-Salem, NC 27101
336-714-4122
Fax: 336-714-4101
Email: mjones@belldavispitt.com
Attorney for Plaintiff
Served by CM/ECF Notification

Paul M. Cox
North Carolina Department of Justice
P.O. Box 629
Raleigh, NC 27602-0629
919-716-6932
Fax: 919-716-6763
Email: pcox@ncdoj.gov
Attorney for Defendants State of North Carolina, North Carolina State Board of Elections, and Karen Brinson Bell
Served by CM/ECF Notification

Mike Barnhill
Womble Bond Dickinson (US) LLP
One Wells Fargo Center, Suite 3500
301 South College Street
Charlotte, NC 28202-6037
704-331-4960
Email: Mike.Barnhill@wbd-us.com
Attorney for Defendants Mecklenburg County Board of Elections, Michael G. Dickerson, and Carol Hill Williams
Served by electronic mail with consent of counsel